

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL GUTEMA,

*Plaintiff,*

v.

COMMUNICATIONS TEST DESIGN,  
INC., d/b/a/ CTDI,

*Defendant.*

CIVIL ACTION  
NO. 18-04785

**ORDER**

**AND NOW**, this 2nd day of May, 2019, after consideration of Defendant's Motion to Dismiss, (ECF No. 9), Plaintiff's Response, (ECF No. 10), and Defendant's Reply, (ECF No. 11), it is hereby **ORDERED** that the Motion is **GRANTED without prejudice**. Plaintiff must file a Second Amended Complaint on or before **Thursday, May 16, 2019**, or his race discrimination claims under Title VII, the PHRA and 42 U.S.C. § 1981 will be dismissed with prejudice.

BY THE COURT:

**/s/ Gerald J. Pappert**  
GERALD J. PAPPERT, J.